

REMARKS

By this amendment, claims 1-19 are pending, in which claims 1, 7, and 13 are currently amended, and claim 19 is newly presented. No new matter is introduced.

The Office Action mailed September 30, 2005 rejected claims 1-2, 6-8, 12-14, and 18 under 35 U.S.C. § 102(b) as anticipated by *McCarty et al.* (US 5,946,660), and claims 3-5, 9-11, and 15-17 as obvious under 35 U.S.C. § 103(a) based on *McCarty et al.* in view of *Peoples, Jr.* (US 6,098,892).

In response to the objection of the Abstract, Applicant has amended the Abstract accordingly.

Applicant acknowledges with appreciation the courtesy of the phone interview on December 29, 2005 with Applicant's attorney, at which time the outstanding issues in this case were discussed. During the phone interview, the Examiner indicated that independent claims 1, 7, and 13 would overcome the rejections if the "physical media" were amended to incorporate the feature of being "electronically or optically storing content." Furthermore, Applicant's attorney noted that Office Action provided no explanation for the supposed rejection of dependent claims 6, 12, and 18. In response, the Examiner stated that the features of dependent claims 6, 12, and 18 are absent from the art of record; for example, claim 6 recites "computing a fee to charge the consumer based on one of frequency of pick-up and drop-off of the physical media and dimensions of the physical media."

In view of the telephonic interview of December 29, 2005, to advance prosecution, Applicant has amended independent claims 1, 7, and 13 to recite "the physical media **electronically or optically stores content.**" Accordingly, as indicated by the Examiner, currently amended independent claims 1, 7, and 13 renders the anticipation rejection moot, as anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed

in a prior art reference. As acknowledged by the Examiner, *McCarty et al.* fails to disclose all features of the claims. In fact it was acknowledged that neither *McCarty et al.* nor *Peoples, Jr.*, alone or in combination, discloses the claimed features.

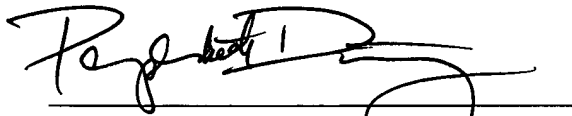
Turning now to newly added claim, independent claim 19 is drawn to a method for providing storage services and recites, "charging the consumer a fee for storage of the physical media, wherein the fee is based on one of frequency of pick-up and drop-off of the physical media and dimensions of the physical media." This feature is not disclosed or otherwise taught by *McCarty et al.* or *Peoples, Jr.*, as asserted by the Examiner during the telephone interview. Thus, new independent claim 19 should also be indicated as allowable.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date


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